

sided over the deliberations of the Senate.

Senator Linn of Wharton moved that the Senate take a recess until 1:30 p. m.

Senator Colquitt moved that the Senate adjourn until 1:30 p. m.

Carried, and the Senate adjourned to 1:30 p. m.

ONE HUNDRED AND SECOND DAY

Senate Chamber,

Austin, Tex., Friday, May 21, 1897.

Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Linn, Victoria.
Bailey.	Linn, Wharton.
Beall.	Morriss.
Bowser.	Presler.
Burns.	Rogers.
Colquitt.	Ross.
Darwin.	Stafford.
Dibrell.	Stone.
Goss.	Terrell.
Gough.	Tillett.
Greer.	Wayland.
Harrison.	Woods.
Kerr.	Yantis.
Lewis.	Yett

Absent.

Neal. Turney.

Excused.

Boren.

Pending reading of the Journal of yesterday,

On motion of Senator Harrison, the same was dispensed with.

BILLS AND RESOLUTIONS.

By Senator Linn of Wharton:

Resolved, that the thanks of the Senate be extended to the press correspondents, who have so faithfully and impartially reported the proceedings of this session of the Senate of the Twenty-fifth Legislature.

On motion of Senator Terrell, the above resolution was unanimously adopted.

By Senator Ross:

Resolved, that the thanks of the Senate be and the same are hereby extended to the Hon. George T. Jester for the able and impartial manner in

presiding over the deliberations of this Senate.

(Senator Gough in the chair.)

On motion of Senator Burns, the above resolution was unanimously adopted.

By Senator Gough:

Be it resolved, that S. B. Hill, the photographer, be permitted to hang in the Senate Chamber the photographic group of Senators and officers of the Twenty-fifth Legislature.

Adopted.

Call concluded.

HOUSE MESSAGES.

The following House messages were received:

Hall House of Representatives,
Austin, Texas, May 21, 1897.

Hon. George T. Jester, President of the Senate.

I am directed by the House to inform the Senate of the passage of the following bills:

Senate bill No. 95, a bill to be entitled "An act to amend article 976 of chapter 8, title 27, of the Revised Civil Statutes of the State of Texas, relating to payment of costs and returning mandates in the Supreme Court."

Senate bill No. 231, a bill to be entitled "An act to amend chapter 2, title XXXII, of the Revised Civil Statutes of the State of Texas, by adding thereto an additional article, to be entitled article 1547d."

Senate bill No. 320, a bill to be entitled "An act to amend title XXIII, of chapter 4, of the Revised Civil Statutes of the State of Texas, relating to county lines, by adding thereto article 808a."

Also, that the House has receded from its amendments to Senate bill No. 138, relating to fees for the filing of charters with the Secretary of State, and has agreed to the bill as it passed the Senate by a two-thirds vote: yeas 84, nays 3.

Also, that the House has appointed the following committee on the part of the House to act with a like committee on the part of the Senate to notify the Governor that the House is ready to adjourn and to receive any communication that he may desire to submit: Messrs. Rogan, chairman; Meade and Bounds.

Respectfully,

LEE J. ROUNTREE, Chief Clerk.

House of Representatives,
Austin, Texas, May 21, 1897.

Hon. Geo. T. Jester, President of the Senate:

I am directed by the House to inform the Senate of the passage of

Senate joint resolution No. 16, granting leave of absence from the State to Judge Eugene Archer.

Also, that the House has concurred in the Senate amendments to Substitute House bill No. 221.

Also, the House has concurred in Senate amendments to House bill No. 711.

Also, that the House has passed House concurrent resolution No. 34, authorizing and directing the State Printing Board to contract for a reprint of such of the Appellate Court Reports as are now out of print or nearly so, and also such as may hereafter become out of print, etc.

Respectfully,

LEE J. ROENTREE,

Chief Clerk House of Representatives.

(Senator Burns in the chair.)

On motion of Senator Gough, the regular order of business was suspended to take up Senate bill No. 343 (the redistricting bill), on third reading, by the following vote:

Yeas—16.

Beall.	Rogers.
Burns.	Ross.
Colquitt.	Stone.
Gough.	Terrell.
Greer.	Lillett.
Kerr.	Woods.
Linn, Victoria.	Yantis.
Morriss.	Yett

Neys—5.

Darwin.	Lewis.
Goss.	Wayland.
Harrison.	

Absent.

Atlee.	Neal.
Bailey.	Presler.
Bowser.	Stafford.
Dibrell.	Turney.
Linn, Wharton.	

Excused.

Boren.

Bill read third time, and passed.

Senator Gough moved to reconsider the vote by which the bill passed, and to lay that motion on the table.

Tabled.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, May 21, 1897.

Hon. George T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 293, a bill to be entitled "An act to authorize corporations to engage in the business of becoming surety on bonds, undertakings, recognizances and other obligations required or permitted by law or the charter, ordinances, rules, or regulations of any municipality, board, organization, court, judge, or other public officer to be made, given, tendered, or filed with surety or sureties and guaranteeing the refraining from or performance by another of any act, duty or obligation, and to regulate such business, and to repeal chapter of the State of Texas,"

XVI, title 21 of the Revised Statutes And find the same correctly enrolled, and have this day at 10:40 a. m. presented the same to the Governor for his approval.

ROGERS, Chairman.

Committee Room,
Austin, Texas, May 21, 1897.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 363, a bill to be entitled "An act to authorize the Texas Central Railroad Company to purchase, own and operate the railway extending from the town of Bremond in Robertson county to the town of Ross in McLennan county, commonly known as the Waco and Northwestern Division of the Houston and Texas Central Railway, with its appurtenances or any part thereof, and to authorize a corresponding increase in the authorized aggregate of the bonds and stock of said Texas Central Railroad Company,"

And find the same correctly enrolled, and have this day at 10 a. m. presented the same to the Governor for his approval.

ROGERS, Chairman.

Committee Room,
Austin, Texas, May 21, 1897.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate joint resolution No. 20, granting leave of absence for sixty days from the State of Texas to Hon. W. M. Allison, judge of the Thirty-third district of Texas.

And find the same correctly enrolled, and have this day at 10 a. m. presented the same to the Governor for his approval.

ROGERS, Chairman.

Committee Room,

Austin, Texas, May 21, 1897.

Hon. George T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 258, a bill to be entitled "An act to empower the State Board of Education to procure, for use in the public free schools of the State of Texas, a series of uniform textbooks; defining the duties of certain officers therein named with reference thereto; making appropriation therefor; defining certain misdemeanors; providing penalties for the violation of the provisions of this act, and declaring an emergency,"

And find the same correctly enrolled, and have this day at 12:28 p. m. presented the same to the Governor for his approval.

ROGERS, Chairman.

Committee Room,

Austin, Texas, May 21, 1897.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 154, entitled "An act to require cities to provide for a board of plumbers to be known as the Examining and Supervising Board of Plumbers, to regulate the duties of said board, and to provide penalties for violation hereof,"

And find the same correctly enrolled, and have this day at 12:28 p. m. presented the same to the Governor for his approval.

ROGERS, Chairman.

Committee Room,

Austin, Texas, May 21, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 95, a bill to be entitled "An act to amend article 976 of chapter 8, title 27, of the Revised Civil Statutes of the State of Texas,

relating to payments of costs and returning mandates in the Supreme Court."

And find the same correctly enrolled, and have this day at 2:40 p. m. presented the same to the Governor for his approval.

ROGERS, Chairman.

Committee Room,

Austin, Texas, May 21, 1897.

Hon. George T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 296, entitled "An act to amend chapter 14 of title 86 of the Revised Civil Statutes of 1895, by adding after article 3993b a new article to be numbered 3993c, providing for the organization of school districts in community counties and validating such districts heretofore organized,"

And find the same correctly enrolled, and have this day at 2:40 p. m. presented the same to the Governor for his approval.

ROGERS, Chairman.

Committee Room,

Austin, Texas, May 21, 1897.

Hon. George T. Jester, President of the Senate:

Your Committee on Enrolled Bills, have carefully examined and compared

Senate bill No. 320, a bill to be entitled "An act to amend title XXIII, chapter 4, of the Revised Civil Statutes of the State of Texas, relating to county lines, by adding thereto article 808a."

And find the same correctly enrolled, and have this day at 2:40 p. m. presented the same to the Governor for his approval.

ROGERS, Chairman.

Committee Room,

Austin, Texas, May 21, 1897.

Hon. George T. Jester, President of the Senate:

Your Committee on Enrolled Bills, have carefully examined and compared

Senate joint resolution granting leave of absence from the State to Judge Eugene Archer.

And find the same correctly enrolled, and have this day at 2:40 p. m. presented the same to the Governor for his approval.

ROGERS, Chairman.

Committee Room,

Austin, Texas, May 21, 1897.

Hon. George T. Jester, President of the Senate:

Your Committee on Enrolled Bills, have carefully examined and compared

Senate bill No. 231, a bill to be entitled "An act to amend chapter 2, title XXXII, of the Revised Statutes of the State of Texas, by adding thereto an additional article to be entitled article 1547d."

And find the same correctly enrolled, and have this day at 2:40 p. m. presented the same to the Governor for his approval.

ROGERS, Chairman.

Committee Room,

Austin, Texas, May 21, 1897.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Contingent Expenses beg leave to report that during the regular session of the Senate of the Twenty-fifth Legislature they have approved the following accounts, the vouchers for which are in the office of the State Comptroller:

For January.

C. H. Allen, Sergeant-at-Arms, stamps, wrappers, etc.....	\$146 00
Ben C. Jones & Co., for Daily Record	131 38
Lone Star Ice Company.....	7 38
M. Grubbs	6 50
Eugene Von Boeckman, stationery and printing	24 33
Joe H. Barbisch, for rent of two typewriters	30 00
C. A. Dahlich	12 00
Geo. A. Brush	13 50
Geo. P. Assman	6 50
Houston Post	10 98
Galveston-Dallas News	21 00

Total for January

For February.

C. H. Allen, Sergeant-at-Arms, stamps, wrappers, etc.....	\$70 00
Ben C. Jones & Co., for Daily Record	201 18
Lone Star Ice Co.....	7 38
M. Grubbs	12 00
Eugene Von Boeckman	490 58
Houston Post	18 48
Galveston-Dallas News	26 00
San Antonio Express	23 01
Expenses of committee to visit State institutions at Terrell and Corsicana, viz., Senator Morriss (\$11.35) and Senator Colquitt (\$4.50)	15 85

Total for February

For March.

C. H. Allen, Sergeant-at-Arms, stamps, wrappers, etc.....	\$132 00
Ben C. Jones & Co., for Daily Record and paper for Journal	471 11
Lone Star Ice Co.....	6 20
M. Grubbs	20 50
Eugene Von Boeckman, stationery and printing	899 51
George P. Assman	3 75
Houston Post	35 16
Galveston-Dallas News	26 00
San Antonio Express	19 00
Expenses of Legislative committee to visit A. and M. College and Prairie View Normal School, viz., Senator Atlee (\$8.25), Senator Terrell (\$6), and Senator Wayland (\$5.75)	20 00
Senator Stone, for express on statistical matter, memorandum books, and pens.....	2 85
Expenses of Senators Woods, Lewis, and Kerr, committee to visit Southwestern Insane Asylum	7 50
Expenses of committee to visit medical branch of University, viz., Senator Beall (\$10), Senator John E. Linn (\$10), and Senator Turney (\$10)...	30 00
Expenses of committee to visit the State penitentiaries, viz., Senator Neal (\$19.50), Senator Rogers (\$13.80), and Senator Boren (\$14)	47 30
Western Union Telegraph Co..	4 58
Total for March.....	\$1725 46

For April.

C. H. Allen, Sergeant-at-Arms, stamps, wrappers, etc.....	\$100 00
Ben C. Jones & Co., for Daily Record	285 72
M. Grubbs	20 75
Eugene Von Boeckman, stationery and printing	514 20
Sam P. Mathews	30 00
Lone Star Ice Co.....	7 50
George P. Assman	2 00
Houston Post	30 60
Total for April	\$990 77

For May.

C. H. Allen, Sergeant-at-Arms, stamps, wrappers, etc.....	\$121 50
Ben C. Jones & Co., for Daily Record	241 80
Lee Williams, stenographic work	10 00
Fort Worth Register	5 20

Western Union Telegraph Co., messages	15 98
M. Grubbs	11 00
Expense of committee to attend Senator Coke's funeral at Waco, viz., Lieut.-Governor Jester (\$9.90) and Senator Tillett (\$10.25)	20 15
Eugene Von Boeckman, printing and stationery	401 89
Lone Star Ice Co.	6 10
Will Lambert, Secretary of Senate (by resolution), for stamps	2 50
Austin Statesman	67 50

Total for May\$907 62

Total for session\$4878 93

Respectfully submitted,

KERR, Chairman.

Committee Room,

Austin, Texas, May 21, 1897.

Hon. George T. Jester, President of the Senate.

We, your committee appointed to wait upon the Governor and notify him of the adoption by the Senate of House concurrent resolution No. 34, providing for a sine die adjournment of this Legislature at 3 o'clock p. m., May 21, 1897, beg leave to report that we have discharged the duties required of us and ask to be discharged.

ATLEE, Chairman.

On motion of Senator Atlee, the above report was adopted.

Committee Room,

Austin, Texas, May 21, 1897.

Hon. Geo. T. Jester, President of the Senate, and Hon. L. T. Dashiell, Speaker of the House of Representatives:

Your free conference committee, to whom was referred

House bill No. 539, a bill to be entitled "An act making appropriations for deficiencies in the appropriations heretofore made for payment of expenses in support of the State government from March 1, 1895, to February 28, 1897, and for previous years, being for payment of claims registered in the Comptroller's office, in accordance with law, and for outstanding claims not registered, and other deficiencies."

With Senate amendments, have had the same under consideration, and beg

to report that they can not agree and ask to be discharged.

BEALL,
LINN of Wharton,
KERR,
ROSS,
WOODS.

On part of the Senate.

DEAN,
BLAIR,
DREW,
PFEUFFER,

On part of the House.

On motion of Senator Beall, the report was adopted.

On motion of Senator Rogers, Senator Darwin was excused for non-attendance on last Tuesday and Wednesday, on account of important business.

On motion of Senator Gough, Senators Neal and Turney were excused for non-attendance for this week.

On motion of Senator Greer, the regular order of business was suspended to take up, on third reading,

Substitute Senate bill No. 195, entitled "An act making fathers of illegitimate children liable for their support and maintenance, and providing for means to recover of such fathers money for that purpose, and regulating the application and expenditure of the same,"

Bill read third time.

Senator Colquitt moved that further consideration of the bill be postponed indefinitely.

Lost.

Senator Colquitt moved that further consideration of the bill be postponed to 3 p. m.

Lost.

The bill was passed.

By Senator Dibrell:

Resolved, that the press gang of the Senate be tendered its thanks for the uniform courtesy and diligent manner in which they have discharged the duty of their arduous task.

Adopted.

On motion of Senator Colquitt, the regular order of business was suspended to take up

Senate bill No. 218, entitled "An act to punish and prohibit the buying or selling for future delivery of cotton either in this State or out of this State, which sales for future delivery are not contemplated by the parties to the contract for delivery at any place, but that a certain margin of difference in

the rise or fall in the market value of spot cotton is to be paid in money by the seller or purchaser at date of named delivery."

Bill read third time, and passed.

Senator Colquitt moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Tabled.

By Senator Beall:

Senate concurrent resolution requesting return of Senate bill No. 258:

Whereas, Senate bill No. 258, known as the text-book bill, has been signed by the Speaker of the House of Representatives and President of the Senate, and has been presented to the Governor for his signature on this day; and

Whereas, in enrollment of said bill the figures "1898" were by mistake or design inserted in the said bill as enrolled, instead of 1897; and

Whereas, it is proper that an enrolled bill should correctly represent the action of the two houses of this Legislature; therefore be it

Resolved by the Senate and House of Representatives of the Twenty-fifth Legislature, that the Governor be requested to return the said bill to the Senate for the purpose of making the correction of the said false enrollment.

Senator Presler moved to lay the resolution on the table.

Tabled by the following vote:

Yeas—15.

Burns.	Presler.
Colquitt.	Rogers.
Darwin.	Stone.
Goss.	Terrell.
Gough.	Wayland.
Harrison.	Woods.
Kerr.	Yantis.
Morriss.	Yett

Nays—7.

Beall.	Lewis.
Dibrell.	Ross.
Greer.	Tillett.

Absent.

Atlee.	Linn, Wharton.
Bailey.	Neal.
Bowser.	Stafford.
Linn, Victoria.	Turney.

Excused.

Boren.

Senator Dibrell moved that the clock be regulated by the Sergeant-at-Arms in order to show the correct time.

Carried.

(Lieutenant Governor Jester in the chair.)

The Chair gave notice of signing, and did sign, after their captions had been read,

Senate bill No. 95, entitled "An act to amend article 976, chapter 8, title 27, of the Revised Civil Statutes of the State of Texas, relating to payment of costs and returning mandates in the Supreme Court."

Senate bill No. 296, entitled "An act to amend chapter 14, title 86, of the Revised Civil Statutes of 1895, by adding after article 3993b a new article to be numbered 3993c, providing for the organization of school districts in community counties, and validating such districts heretofore organized."

Senate bill No. 320, entitled "An act to amend title XXIII of the Revised Civil Statutes of the State of Texas, relating to county lines, by adding thereto article 808a."

Senate joint resolution No. 16, granting leave of absence from the State to Judge Eugene Archer, of the Thirty-eighth judicial district.

Senate bill No. 231, entitled "An act to amend chapter 2, title XXXII of the Revised Civil Statutes of the State of Texas, by adding thereto an additional article, to be entitled article 1547d."

House bill No. 711, a bill to be entitled "An act to create a more efficient road system for Parker county, Texas, and making the county commissioners of said county ex officio road commissioners, and prescribing their duties as such, and providing for their compensation as road commissioners, and providing for the appointment of road overseers and defining their duties, and for the working of county convicts upon the roads of said county, and providing for officers' fees and rewards for the capture of escaped convicts, and authorizing the working of county convicts partly upon the convict farm as well as upon the public roads, or partly upon both, in the discretion of the commissioners court, and making provisions of act applicable as far as practicable to convicts when worked on county farm, and to provide for the summoning of teams for road work, and for an allowance of time of road service for same, and fixing a penalty for a violation of this act, and repeal all laws in conflict with this act as to Parker county; and providing for the working of delinquent poll tax payers, and prescribing a penalty for failure to work public roads in payment of poll tax by said delinquent poll tax payers, and to authorize and empower the commissioners court of Parker county to issue bonds for

the construction and maintenance of public roads and highways within Parker county; and to authorize the commissioners court of Parker county to create the office of superintendent of public roads and highways for Parker county, and to provide for the election of said superintendent, and defining his duties, and providing for compensation for said superintendent when elected, and prescribing bond to be given by said officer,"

Substitute House bill No. 207, a bill to be entitled "An act to amend article 5049, chapter 1, of the Revised Civil Statutes of 1895, relating to occupation taxes."

Substitute House bill No. 221, a bill to be entitled "An act to preserve and protect the wild game, birds and fowl of the State of Texas, and provide adequate penalties for the unlawful taking, slaughter, sale or shipment thereof, and to repeal all laws and parts of laws in conflict herewith."

House bill No. 700, a bill to be entitled "An act to fix the time for holding the courts in the Forty-sixth Judicial District, and to repeal all laws and parts of laws in conflict herewith."

And,

House bill No. 690, a bill to be entitled "An act to amend section 1 of an act to authorize and permit the Aransas Pass Harbor Company to purchase from the State of Texas, Harbor Island, certain shoal waters and flats in front thereof, and in Red Fish bay, and to excavate a free channel along and through Turtle Cove between Corpus Christi bay and the deep water harbor or channel at or near Aransas Pass, in order to encourage the procuring and maintenance of deep water at Aransas Pass, and prescribing certain conditions attaching to and following with such purchase, passed at the present session, and which became a law April 8th, 1897."

Also House concurrent resolution No. 34 (providing for reprinting the Supreme Court reports).

By Senator Greer:

Resolved, that the Senate recognize in the Rev. F. S. Jackson an earnest

and faithful Christian gentleman, whose courteous and kindly bearing and consistent conduct, devout and able efforts to keep pure the lives and thoughts of members of this Senate, and whose wholesome example deserves our thanks.

Adopted.

The Chair announced that the hour fixed for sine die adjournment had arrived.

On motion of Senator Tillett, the Twenty-fifth Senate was closed with prayer by the Chaplain, the prayer being as follows:

Almighty God: Through months, weeks and days of work and anxiety we have passed; and to-day finish our labors and depart to our homes. Much has been accomplished and much remains incomplete. We pray Thy blessings to rest upon all the laws that have been enacted during the session. Bless the President and members of this Senate. If in the heat of controversy impatient words have been uttered and motives have been impugned, we pray Thee to blot them all from the pages of memory, and may these members remember each other as friends and gentlemen, patriots and faithful servants of the people. May the mantle of charity cover all imperfections, and all be drawn close together in the sacred bonds of friendship. May every member enjoy the full confidence of their constituency, and the best of all commendation, "well done." Bless the officers and employes of this body, and we pray Thy special benedictions to rest upon the members of the press who have waited upon this Senate so faithfully. May all the associations here ripen into strong and mutual friendships, and when the last duty has been performed and obligation met and the grand roll call ordered in the bright beyond, may each one answer "here," and none be marked "absent." We pray in the name of Christ. Amen.

After prayer, the Chair declared the Senate adjourned sine die.